

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 11/25/2014	(3) CONTACT/PHONE Kami Griffin, Assistant Director / (805) 781-5708	
(4) SUBJECT Hearing to consider a request by the County of San Luis Obispo to amend the Administration and Personnel Ordinance, Title 2 of the San Luis Obispo County Code relating to the issuance of General Plan Conformity Reports consistent with Government Code Sections 65401 and 65403; the amendment is exempt from CEQA. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Hold the public hearing on the amendment as attached. 2. Take final action on the amendment by adopting and instructing the Chairperson to sign the attached ordinance. 3. If adopted, the Board waive the reading of the ordinance.			
(6) FUNDING SOURCE(S) Department Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. 15 min___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>Introduced 11-4-14</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Kami Griffin, Assistant Director

DATE: 11/25/2014

SUBJECT: Hearing to consider a request by the County of San Luis Obispo to amend the Administration and Personnel Ordinance, Title 2 of the San Luis Obispo County Code relating to the issuance of General Plan Conformity Reports consistent with Government Code Sections 65401 and 65403; the amendment is exempt from CEQA. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Hold the public hearing on the amendment as attached.
2. Take final action on the amendment by adopting and instructing the Chairperson to sign the attached ordinance.
3. If adopted, the Board waive the reading of the ordinance.

DISCUSSION

At today's meeting, your Board will hold a public hearing on the following amendment:

A request by the County of San Luis Obispo to amend Title 2 of the San Luis Obispo County Code to clarify that the Board of Supervisors is designated as the planning agency for the purpose of issuing conformity reports pursuant to Government Code sections 65401 and 65403.

County File Number: LRP 2014-00009

Supervisory District: All

The purpose of this amendment is to clarify that only the Board of Supervisors needs to find the County's Capital Improvement Program consistent with the County's General Plan. The existing language of the code is unclear. This will allow for a streamlined approach to the review of the Capital Improvement Program (CIP). Without these amendments, the decision to find the CIP in conformance with the general plan would need to be made by the Department, the Planning Commission and the Board of Supervisors.

Government Code sections 65401 requires that a coordinated program of proposed public works be prepared for each ensuing fiscal year. It goes on to require that coordinated program be submitted to the planning agency for review and report as to conformity with the adopted general plan. Section 65103 requires an annual review of the capital improvement program for their consistency with the general plan by the planning agency.

Title 2 of the County Code defines the planning agency as the Planning Commission, together with the Board of Supervisors and the Department of Planning and Building. An amendment, completed in 1989, clarified that the Department is designated as the planning agency for the purpose of issuing general plan conformity decisions for the acquisition or disposal of real property or the construction of structures by a public agency in the unincorporated area.

This proposed amendment would make this same clarification for the CIP. It specifies that the Board of Supervisors be designated as the planning agency for the purpose of make general plan conformity decisions as the Planning Commission does not review or otherwise take action on the program. This will streamline the review of the County's CIP. The Department of Planning and Building will continue to make a recommendation as to the program's conformity with the general plan to your Board.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel reviewed the ordinance as to form and legal effect.

FINANCIAL CONSIDERATIONS

County initiated amendments are processed using funds within the Planning and Building Department budget.

RESULTS

Approval of the amendments will have the changes become effective 30 days later. The amendments will clarify and simplify existing text in Title 2 relative to General Plan Conformity determinations. This is consistent with the countywide goal of a well-governed community.

ATTACHMENTS

1. Ordinance to be adopted
2. Ordinance showing proposed changes